IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

NOTICE OF MOTION NO.187 OF 2006
IN
PETITION NO.107 OF 2003

Re : Javed Wajid Ali Ansari ..Insolvent.
Ex-parte :
Champalal P. Jain .. Petitioning Creditor.
...
Mr. Kishore Jain for the Petitioning Creditor.
Dr. (Mrs.) R.R. Ajinkya for the Insolvent.
Mr. Y.C. Parikh, Official Assignee present.
....

CORAM: DR. D.Y. CHANDRACHUD, J.

19th December, 2006.

P.C. :

The Notice of Motion has been taken out for an order of annulment under Section 21 (1) of the Presidency Towns Insolvency Act, 1909. The claim of the Petitioning Creditor has been duly met. The Official Assignee states that an amount of Rs.54,000/- is still to be paid to the co-operative society towards its outstanding dues as well as 3 % commission towards revenue which remains to be paid. Hence, the following conditional order is passed :

i) On the Insolvent agreeing to pay through a well wisher

the entire outstanding dues of a co-operative society and producing a due receipt from the society of full payment having been made and on the Insolvent paying 3% commission to the Assignee towards revenue on or before 28th February, 2007, the Motion will stand absolute in terms of prayer clauses (a), (b), (c) and (d).

ii) In the event that there is any default in compliance of the directions stipulated herein above, the Motion shall stand dismissed without further reference to the Court.